

ORDINANCE NO. _____

1 An ordinance vacating a portion of the public right of way on the north side of "O"
2 Street between 11th and 12th Streets, a portion of the west side of 12th Street between
3 "O" and "P", a portion of the south side of "P" Street between 11th and 12th Streets, a
4 portion of the east side of 11th Street between "O" and "P" Streets, and a portion of the
5 east-west alley from 11th to 12th Streets between "O" and "P" Streets, retaining title
6 thereto in the City of Lincoln, Nebraska, and declaring an emergency.

7 WHEREAS, the Lincoln-Lancaster County Planning Commission has considered
8 the proposed vacation request after public hearing on October 1, 2003 and determined
9 the same to be in conformance with the Comprehensive Plan.

10 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

11 Section 1. That the following public rights-of-way, namely:

12 The north 13.5 feet of all that portion of "O" Street abutting
13 the southern lot lines of Lots 9 –16 inclusive, Block 41,
14 Original Plat, Lincoln, Lancaster County, Nebraska and
15 containing approximately 2,700 square feet, more or less:

16 and

17 The west 9.25 feet of all that portion of 12th Street abutting
18 the eastern lot line of Lot 1, Block 41, or the northern portion
19 of the east-west alley between 11th and 12th Streets in
20 Block 41 which is to be vacated pursuant to this Ordinance,
21 all Original Plat, Lincoln, Lancaster County, Nebraska and
22 containing approximately 1,318.25 square feet, more or less:

23 and

1 The east 9.25 feet of all that portion of 11th Street abutting
2 Lots B, C, D, E, and F, County Clerk's Subdivision of Lots 5
3 and 6, Block 41, or the northern portion of the east-west
4 alley between 11th and 12th Streets in Block 41 which is to
5 be vacated pursuant to this Ordinance, all Original Plat,
6 Lincoln, Lancaster County, Nebraska and containing
7 approximately 1,318.25 square feet, more or less:

8 and

9 The south 9.25 feet of all that portion of "P" Street abutting
10 Lots 1 through 4, Block 41, Original Plat, or Lots A and B,
11 County Clerk's Subdivision of Lots 5 and 6, Block 41,
12 Original Plat, or the northern portions of 11th Street and/or
13 12th Street to be vacated pursuant to this Ordinance,
14 Lincoln, Lancaster County, Nebraska and containing
15 approximately 2,946.25 square feet, more or less:

16 and

17 The east 183.0 feet of the west 250.0 feet of the entire east-
18 west alley between 11th and 12th Streets in Block 41,
19 Original Plat, Lincoln, Lancaster County, Nebraska, which
20 abuts any portion of the northern lot lines of Lots 9 through
21 15 inclusive, Block 41, Original Plat, or the northern lot line
22 of the western 8.0 feet of Lot 16, Block 41, Original Plat,
23 Lincoln, Lancaster County, Nebraska which contains
24 approximately 2,978.0 square feet, more or less, providing
25 for a connecting structure between the buildings on the north
26 and south sides of the alley and for limited surface uses,

1 footings, wall finish, and related uses, that will not disturb
2 existing utilities and preserving the subsurface use of the
3 alley for utility corridors but closing the alley for vehicular
4 and pedestrian traffic through the alley;

5 and

6 To the extent not included in the preceding paragraph, the
7 north 6 inches of the entire east-west alley between 11th
8 and 12th Streets in Block 41, Original Plat, Lincoln,
9 Lancaster County, Nebraska, which abuts the southern lot
10 lines of Lots 1 through 4 inclusive, Block 41, Original Plat, or
11 the southern lot line of Lot F, County Clerk's Subdivision of
12 Lots 5 and 6, Block 41, Original Plat, or the southern
13 portions of 11th Street or 12th Street which are to be
14 vacated pursuant to this Ordinance, containing
15 approximately 159.25 square feet, more or less;

16 be and the same are hereby vacated subject to title of said public rights-of-way being
17 vacated remaining in the City of Lincoln, Nebraska, and for the purpose of conveying
18 easements related to the downtown theater redevelopment project in accordance with
19 the agreement approved by the City Council by Resolution A-81984.

20 Section 2. That the proposed vacation and related grant of redevelopment
21 easements are hereby found to be in the best interest of the City in carrying out the
22 purposes of the redevelopment agreement and preserving the utility corridor and
23 related infrastructure considering the costs to remove or relocate existing utilities in the
24 alley.

25 Section 3. Whereas an emergency exists, this ordinance shall take effect and be
26 in force from and after its passage and publication according to law.

Introduce by:

Approved as to Form and Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor